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Snell & Wilmer L.L.P. Orange County

Patent
42610-2500

IN THE DRAWINGS:

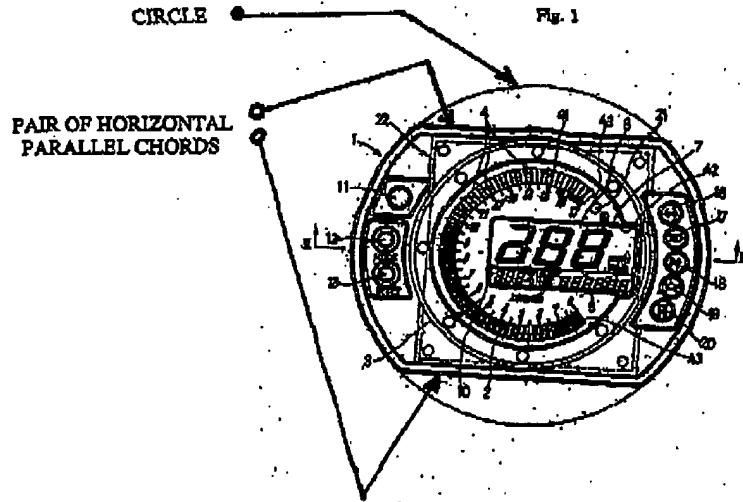
Applicant requests reconsideration of the objection of 37 CFR §1.83(a). Applicant submits that the current drawings, and more particularly Figure 1, disclose a casing or housing assembly with a perimeter approximately defined as a pair of horizontal parallel cords dissecting a circle.

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As can be seen from the attached sketch, the sides of the casing have a circular configuration with the dotted lines indicating the circle. The upper and lower pair of horizontal parallel chords dissect the circle and form the lower perimeter and upper perimeter of the casing.

Applicant respectfully requests reconsideration since Figure 1 and the specification on
10 Page 9, Line 25 through Page 10, Line 16 supports this feature.

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REMARKS

The Office Action indicated that the subject matter of Claims 3, 7 and 8 would be allowed if rewritten in independent form. Applicant respectfully requests that this indication of allowed subject matter be held in abeyance until the following remarks and comments are considered.

Applicant appreciates the brief telephone conference with Examiner Patel on January 27, where the issue with regards to the drawing in Figure 1 was discussed. The Examiner requested that we submit this in a formal amendment so he could consider the same.

The present invention relates to a vehicle instrument panel and more particularly, to a compact motorcycle instrument panel that is capable of providing relevant information in a concise and compact configuration. The casing includes a perimeter with circular side edges and an approximately straight upper surface perimeter and a straight lower surface perimeter.

An analog tachometer of a C configuration partially encompasses a digital display unit positioned primarily within the configuration of the tachometer. The digital display unit can provide speed in miles per hour and other relevant information to the operation of the vehicle, including a temperature, a clock, an odometer and trip distance. Display mode selector buttons and a reset button can be juxtaposed along a curved configuration complementary to the tachometer. Indicator lights capable of displaying various operating conditions are positioned on the opposite side, also to confirm in general to the curvature of the analog tachometer.

Thus, the motorcyclist can easily determine the number of revolutions of the motorcycle engine in the form of a bar graph analog tachometer. He/she can also easily perceive the velocity or speed of the motorcycle within the rectangular digital speedometer. Temperature, clock time and odometer can also be displayed adjacent the digital speedometer.

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The Office Action contended that the *Twombly* (U.S. Patent No. 5,136,516) completely anticipated the subject matter of Claims 1, 2, 4, 5 and 6. The *Twombly* reference is directed to an analog and digital display device for a railroad train and more specifically, a device that would provide information associated with the actual speed, allowable speed, profile speed and overspeed indicator of the train. Apparently, an automatic train system divides railroad tracks into blocks and monitors which trains are traveling at what speeds within the individual blocks. Since the mass of the train requires considerable distance to stop, this automatic system is capable of setting a speed limit that is computed so that it would always make it possible for a following train to stop if need be, and to maintain a sufficient distance from any preceding train.

The *Twombly* invention is directed to a purported improvement in this prior art system, and deals, for example, with the issue of a profile speed. That is, the rate in which the train must decrease its speed to operate safely behind the preceding train.

Thus, the *Twombly* reference is not concerned with either a motorcycle or a compact instrument panel that could be mounted adjacent to the handlebars of a motorcycle to provide concise and highly localized information on the operation of the motorcycle, since obviously, the operator panel on a train is not dealing with these constraints of space that would exist on a motorcycle.

More importantly, the *Twombly* patent is basically designed to provide an analog indicator of a speed and a digital indication of a speed as set forth in Column 3, Lines 50-55.

"Accordingly, it will be appreciated that all speed parameters, i.e., actual speed, allowable speed, and speed profile are displayable simultaneously in both analog and digital formats by the display device of the present invention."

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The Office Action indicated that *Twombly* disclosed a combination indicator assembly in Figure 1, including an arcuate analog display unit, that explained the number of revolutions of a vehicle engine. However, the only arcuate display unit shown in Figure 1 is an analog meter scale that surrounds an LCD digital display. The arc of the 75 LCD segments discloses "actual speed in analog format as implemented by a continuous bar of LCD segments 8 going from zero to the actual speed at a given time as shown by artwork 9." See Column 3, Lines 29-31.

In addition, the same information is shown in a digital format as single LCD segment 13 under the legend Allowable Speed in Figure 1. See Column 3, Lines 31-33.

As can be appreciated, the actual speed of the train is not necessarily the number of revolutions of a train engine and the *Twombly* reference does not teach nor suggest a tachometer, but rather is concerned with a safety issue of providing different formats of information all based upon the speed of the train.

Certainly *Twombly* cannot be considered to be an anticipation under 35 U.S.C. §102(b) and there is no teaching within this reference that would suggest the obviousness of providing such a tachometer in the manner defined in our claims.

The Office Action further contended that the *Twombly* reference taught in Column 4, Lines 10-13, a CPU as a control unit and asserted that it could be used to provide an indicator of engine revolutions per unit. Driving an analog and digital display system as described in Figure 2 with a CPU is to enable the presentation of information associated with the different formats of speed for controlling the operation of the train in a safe manner. There is no teaching to provide an indicator of engine revolutions in a manner to encircle a speedometer as described in our present claims.

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Thus, referring to Claim 1, we define an arcuate analog display for displaying the number of revolutions of a vehicle engine. Figure 1 of our drawings further clearly discloses increments of from 1,000 to 17,000 RPM as being displayed.

Additionally, a generally rectangular display device provides both a speedometer region and a multi-function meter region. These features are not taught by the *Twombly* disclosure.

Independent Claim 6 defines a compact configuration of a display panel for a motorcycle, including the perimeter shape of the casing assembly. Again, an arcuate series of openings are capable of indicating engine revolutions per unit of time while a rectangular opening is capable of providing performance characteristics including the speed or velocity of the motorcycle.

The newly drafted Claim 10 defines not only the arcuate analog display unit for providing the revolutions of the vehicle engine and a rectangular speedometer region within the analog display unit, but further defines indicator lamps aligned in a curvilinear pattern adjacent a portion of the perimeter of the casing. The dependent Claims 10-16 provide additional novelty features worth of patent protection.

In view of the above comments, it is believed that the case is now in condition allowance and early notification of the same is requested.

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If the Examiner believes that a telephone interview will help further the prosecution of the case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on February 28, 2006.

Very truly yours,

SNELL & WILMER L.L.P.

By: Sharon Farnus
Sharon Farnus

Signature

Dated: February 28, 2006


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